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Attorneys for Plaintiff

Alex Rojas

US DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ALEX ROJAS,

Plaintiff,

vs.

WHITE CAP CONSTRUCTION SUPPLY,
INC, and HD SUPPLY, Inc.

Defendants.

CASE NO: CIV08 3886 WDB

**PLAINTIFF'S REQUEST FOR JUDICIAL
NOTICE IN SUPPORT OF MOTION FOR
ORDER REMANDING CASE TO STATE
COURT AND AWARING COSTS AND
ATTORNEY'S FEES TO PLAINTIFF**
[28 U.S.C. Section 1447; FRCP 12(h)(3)]

DATE: October 1, 2008

TIME: 1:30 pm

PLACE: Courtroom 4, 3rd Floor.

Plaintiff respectfully requests the Court to take judicial notice of the items described below, under Rule 201 of the Federal Rules of Evidence. Specifically, Plaintiff requests that the Court take judicial notice of the existence and contents of the attached Exhibit "A", which contains true and correct copies of store information documents from White Cap's web site.

This Court is authorized to take judicial notice of Exhibit "A" because the documents are generally known within the territorial jurisdiction of this Court and are capable of accurate and ready determination by resort to sources whose accuracy could not

1 reasonably be questioned, which therefore permits judicial notice of facts and propositions
2 contained in these web site documents that are not reasonably subject to dispute and are
3 capable of immediate and accurate determination by resort to sources of reasonably
4 indisputable accuracy.

5 As these documents are not reasonably subject to dispute and are capable of
6 immediat_ and accurate determination by resort to sources of reasonably indisputable
7 accuracy, Plaintiff requests that the Court take Judicial Notice of them.
8

9 DATED: August 20, 2008

MICHAEL HOFFMAN

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CATALOG REQUEST

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